



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,430	12/27/2005	Nestor Rekalde Arrieta	GKNG 1267 PCT	3873
27256	7590	02/11/2008	EXAMINER	
Dickinson Wright PLLC 38525 Woodward Avenue Suite 2000 Bloomfield Hills, MI 48304			BINDA, GREGORY JOHN	
			ART UNIT	PAPER NUMBER
			3679	
			MAIL DATE	DELIVERY MODE
			02/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,430	Applicant(s) ARRIETA ET AL.	
	Examiner Greg Binda	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Drawings

2. Replacement drawings filed December 10, 2007 are approved.

Claim Objections

3. Claims 15 & 26-28 are objected to because the limitation “bronze or non-ferrous metal” implies bronze is something other than a non-ferrous metal.

Claim Rejections - 35 USC § 102

4. Claims 17-25 & 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Booker et al, US 5,833,243. Figure 8 shows a constant velocity universal joint assembly comprising:

a constant velocity universal joint 84 with an outer joint part in the form of a joint bell with an attached connecting journal and a radial supporting face at the joint bell at the base of the connecting journal;

a wheel hub 82 with bearings which is slid on to the connecting journal and which, via threading is clamped to the outer joint part, wherein the wheel hub is directly or indirectly supported on the supporting face; and

an annular ring 92 made of plastic, which is positioned directly on the supporting face so as to be concentric relative to the connecting journal and which accommodates the clamping forces of the threading.

Figure 8 shows the annular disc 92 comprises a cylindrical portion 94 positioned on the joint bell 84 in a force locking way.

Claim Rejections - 35 USC § 103

5. Claims 17-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizukoshi, US 6,135,571 in view of Coleman. In Figures 8-13 & 35, Mizukoshi shows an assembly comprising: a constant velocity universal joint with an outer joint part 11 in the form of a joint bell 11 with an attached connecting journal 29 and a radial supporting face at the joint bell at the base of the connecting journal; a wheel hub 6a with bearings which is slid on to the connecting journal and which, via threading (as at 141, 142 in Fig. 35), is clamped to the outer joint part, wherein the wheel hub is directly or indirectly supported on the supporting face; and an annular ring 69, which is positioned directly on the supporting face so as to be concentric relative to the connecting journal and which accommodates the clamping forces of the threading. Mizukoshi discloses in col. 3, line 61 that the annular ring is provided to prevent play between the joint bell and the wheel hub and in col. 29, line 10 that the annular disc 69 is made from steel, but not from bronze, bronze coating or plastic.

In col. 5, lines 3-28, Coleman teaches that an annular disc made from bronze, bronze coating or plastic is an art recognized equivalent of an annular disc made from steel. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

assembly of Mizukoshi by making the annular disc from bronze, bronze coating or plastic instead of steel since all such annular discs are art recognized equivalents as taught by Coleman.

Response to Arguments

6. Applicant's arguments filed December 10, 2007 have been fully considered but they are not persuasive.

a. Applicant argues that Booker fails to anticipate the claims because it fails to show the annular ring 92 in contact with constant velocity joint part 12. However, the argument is unpersuasive because Fig. 8 clearly shows the annular ring 92 in contact with constant velocity joint part 84.

b. Applicant argues that Mizukoshi fails to disclose clamping forces. However, in Fig. 35, Mizukoshi shows a clamping force provided by the threaded hole 141 and bolt 142.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Binda/

Primary Examiner, Art Unit 3679